

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LEAGUE OF INDEPENDENT
FITNESS FACILITIES AND
TRAINERS, INC., BASELINE
FITNESS LLC, BUILDING
YOUR TEMPLE LLC,
BYT FITNESS 247 LLC,
CLAWSON FITNESS, LLC,
CLINTON FITNESS, INC.,
D-LUX KARATE UNIVERSITY,
LLC, FENTON ATHLETIC CLUB,
INC., FENTON KARATE, LLC,
FUSION FITNESS 24/7 LLC,
H3 FITNESS LLC, I FITNESS
PERSONAL TRAINING, INC.,
JKP FITNESS, LLC, JPF
ENTERPRISES, LLC, M FITNESS
CLUB, LLC, MH & AB LLC,
MOTOR CITY CF – ST. CLAIR
SHORES, LLC, NASCOT
ENTERPRISES, LLC, PRISON CITY
PHYSIQUE, LLC, FMP FITNESS INC.,
STRENGTH BEYOND LLC, 24/7
BOOTCAMP AND BOXING, INC., and
4 SEASONS GYM, LLC,

Plaintiffs,

v

GRETCHEN E. WHITMER and
ROBERT E. GORDON,

Defendants.

No. 20-cv-00458

HON. PAUL L. MALONEY

**DEFENDANTS’
EMERGENCY MOTION
FOR STAY PENDING
APPEAL**

*****IMMEDIATE
CONSIDERATION
REQUESTED*****

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**DEFENDANTS WHITMER AND GORDON'S
EMERGENCY MOTION FOR STAY PENDING APPEAL**

Defendants Gretchen Whitmer and Robert Gordon, through counsel, move this Court under Fed. R. Civ. P. 65 to stay its preliminary injunction order pending appeal. In further support of this motion, Governor Whitmer and Director Gordon rely on the facts, law and argument more fully developed in the attached brief in support.

The undersigned certifies that on June 19, 2020, concurrence in the relief requested was sought from Plaintiffs' Counsel, which was denied.

Respectfully submitted,

Dana Nessel
Attorney General

/s/ John G. Fedynsky
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Dated: June 19, 2020

CERTIFICATE OF SERVICE

I certify that on June 19, 2020, I electronically filed the foregoing papers with the Clerk of the Court using the ECF system, which will provide electronic copies to counsel of record, and I certify that my secretary has mailed by U.S. Postal Service the papers to any non-ECF participant.

/s/ John G. Fedynsky

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Assistant Attorney General